

REMARKS

Claims 1-7 and 9-18 are pending in this application. Claims 16-18 are withdrawn from consideration. By this Amendment, claims 1 and 12 are amended and claim 8 is canceled without prejudice to or disclaimer of the subject matter found therein. No new matter is added.

On page 2 of the Office Action, the specification is objected to because of informalities. Accordingly, the specification is amended to correct a minor informality and the title of the invention is amended to be indicative of the invention to which the claims are directed. Thus, it is respectfully requested the objection be withdrawn.

On pages 3-7, claims 1, 2, 7 and 11-15 are rejected under 35 U.S.C. §102(b) as being anticipated by Kubota et al. (Kubota), U.S. Patent No. 6,091,384; claims 1-3 are rejected under 35 U.S.C. §102(e) as being anticipated by Ichikawa, U.S. Patent No. 6,906,452; and claims 1, 2 and 4-9 are rejected under 35 U.S.C. §102(e) as being anticipated by Sejkora, U.S. Patent No. 6,639,350. The rejections are respectfully traversed.

With respect to Ichikawa, it is respectfully pointed out that Ichikawa is not prior art. Applicants' claimed foreign priority is to Japanese Patent Application No. 2002-326909, filed November 11, 2002. Ichikawa was filed March 24, 2003 and thus is not prior art under 35 U.S.C § 102(e). As to the publication of Ichikawa's priority document, it occurred on October 3, 2003. Thus, Ichikawa is not prior art under any provision of 35 U.S.C. §102 and cannot be used to reject claims 1-3.

Applicants' invention of claim 1 calls for a display element, comprising an emission layer having a light-emitting layer that emits light by a voltage applied between electrodes; a transmission layer that transmits the light emitted from the light-emitting layer; and a total reflection surface in the transmission layer, that is capable of totally reflecting at least a part of the light radiated from the light-emitting layer in a direction of emission of the light-

emitting layer, an inclination angle of the total reflection surface being approximately from 62 to 72 degrees. Kubota and Sejkora fail to disclose or suggest all of these features.

Contrary to the Office Action assertion, Kubota and Sejkora fail to disclose or suggest an inclination angle of the total reflection surface being approximately from 62 to 72 degrees. Sejkora only discloses an inclination angle that is greater than 72.4 degrees or less than 62.6 degrees (Equations 6 and 7 in col. 7, line 65 and col. 8, line 2). Thus, Sejkora only teaches an inclination angle that is outside the range of an inclination angle of claim 1. An inclination angle within this range increases light-use efficiency (paragraph [0015] of the application as filed). Sejkora does not recognize such efficiency. Therefore, because Sejkora fails to disclose or suggest an inclination angle of the total reflection surface being approximately from 62 to 72 degrees, Sejkora fails to disclose or suggest all of the features of Applicants' claim 1. Further, Kubota does not disclose or suggest any range of the inclination angle of the total reflection surface. Therefore, Kubota fails to disclose or suggest all of the features of Applicants' claim 1.

Further, because claims 2, 7 and 11-15 incorporate the features of claim 1, Kubota fails to disclose or suggest the features of any of these claims for the foregoing reasons and for the additional features found therein. Because claims 2 and 3 incorporate the features of claim 1, Ichikawa fails to disclose or suggest the features of any of these claims for the foregoing reasons and for the additional features found therein. Finally, because claims 2, 4-7 and 9 incorporate the features of claim 1, Sejkora fails to disclose or suggest the features of any of these claims for the foregoing reasons and for the additional features found therein. The rejection with respect to claim 8 is rendered moot by the cancellation of claim 8. Although the subject matter of claim 8 is incorporated into claims 1 and 12, none of the applied references disclose or suggest all the features of this claim for the reasons discussed above.

On page 7 of the Office Action, claim 10 is rejected under 35 U.S.C. §103(a) over Ichikawa in view of Furukawa et al. (Furukawa), JP 08-321381. The rejection is respectfully traversed.

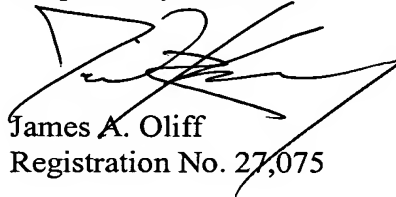
Ichikawa is not prior art, as discussed above. Thus, the combination cannot suggest the subject matter of claim 10. Therefore, it is respectfully requested that the rejection be withdrawn.

Further, because claim 12 also recites an inclination angle of the total reflection surfaces being approximately from 62 to 72 degrees, Kubota fails to disclose or suggest all of the features of claim 12 for the reasons discussed above.

In view of the foregoing, it is respectfully submitted that this application is in condition for allowance. Favorable reconsideration and prompt allowance of claims 1-7 and 9-15 are earnestly solicited.

Should the Examiner believe that anything further would be desirable in order to place this application in even better condition for allowance, the Examiner is invited to contact the undersigned at the telephone number set forth below.

Respectfully submitted,


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